



Reprinted
March 1, 2005

SENATE BILL No. 123

DIGEST OF SB 123 (Updated February 28, 2005 7:32 pm - DI 52)

Citations Affected: Noncode.

Synopsis: Confined feeding. Requires the environmental quality service council to study certain issues concerning concentrated animal feeding operations and confined feeding operations.

Effective: Upon passage.

Paul

January 4, 2005, read first time and referred to Committee on Agriculture and Small Business.

January 13, 2005, pursuant to Senate Rule 65(b) reassigned to Committee on Energy and Environmental Affairs.

February 22, 2005, amended, reported favorably — Do Pass.

February 28, 2005, read second time, amended, ordered engrossed.

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SB 123—LS 6612/DI 69+



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 123

A BILL FOR AN ACT concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) For purposes of
2 this SECTION:

3 (1) "concentrated animal feeding operation" has the meaning
4 set forth in IC 13-11-2-38.3; and

5 (2) "confined feeding operation" has the meaning set forth in
6 IC 13-11-2-40.

7 (b) The environmental quality service council shall:

8 (1) study the differences between:

9 (A) rules governing concentrated animal feeding
10 operations; and

11 (B) rules governing confined feeding operations;

12 (2) study the statutes and rules that impose recordkeeping
13 requirements for concentrated animal feeding operations and
14 confined feeding operations;

15 (3) study the adequacy of current law to address issues
16 concerning concentrated animal feeding operations and
17 confined feeding operations, including:

18 (A) the qualifications of operators of concentrated animal

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1 feeding operations and confined feeding operations;
2 (B) the need to rapidly identify and address violations of
3 statutes and rules that govern concentrated animal feeding
4 operations and confined feeding operations;
5 (C) issues concerning the design and construction of
6 concentrated animal feeding operations and confined
7 feeding operations;
8 (D) the adequacy of the public notice to neighboring
9 property owners before construction of concentrated
10 animal feeding operations and confined feeding operations;
11 and
12 (E) any other issue the environmental quality service
13 council considers appropriate; and
14 (4) submit its report and recommendations on the matters
15 described in subdivisions (1), (2), and (3) as part of the
16 council's final report.
17 (c) This SECTION expires January 1, 2006.
18 SECTION 2. An emergency is declared for this act.

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REPORT OF THE PRESIDENT
PRO TEMPORE

Madam President: Pursuant to Senate Rule 65(b), I hereby report that Senate Bill 123, currently assigned to the Committee on Agriculture and Small Business, be reassigned to the Committee on Energy and Environmental Affairs.

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COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning environmental law.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **For purposes of this SECTION:**

(1) **"concentrated animal feeding operation" has the meaning set forth in IC 13-11-2-38.3; and**

(2) **"confined feeding operation" has the meaning set forth in IC 13-11-2-40.**

(b) **The environmental quality service council shall:**

(1) **study the differences between:**

(A) **rules governing confined animal feeding operations; and**

(B) **rules governing confined feeding operations;**

(2) **study the statutes and rules that impose recordkeeping requirements for confined animal feeding operations and confined feeding operations;**

(3) **study the adequacy of current law to address issues concerning confined animal feeding operations and confined feeding operations, including:**

(A) **the qualifications of operators of confined animal feeding operations and confined feeding operations;**

(B) **the need to rapidly identify and address violations of statutes and rules that govern confined animal feeding operations and confined feeding operations;**

(C) **issues concerning the design and construction of confined animal feeding operations and confined feeding operations;**

(D) **the adequacy of the public notice to neighboring property owners before construction of confined animal feeding operations and confined feeding operations; and**

(E) **any other issue the environmental quality service council considers appropriate; and**

(4) **submit its report and recommendations on the matters described in subdivisions (1), (2), and (3) as part of the council's final report.**

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(c) This SECTION expires January 1, 2006.

SECTION 2. An emergency is declared for this act."

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 123 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 123 be amended to read as follows:

Page 1, line 9, delete "confined" and insert "**concentrated**".

Page 1, line 13, delete "confined" and insert "**concentrated**".

Page 1, line 16, after "concerning" delete "confined" and insert "**concentrated**".

Page 1, line 18, delete "confined" and insert "**concentrated**".

Page 2, line 3, delete "confined" and insert "**concentrated**".

Page 2, line 6, before "animal" delete "confined" and insert "**concentrated**".

Page 2, line 9, delete "confined" and insert "**concentrated**".

(Reference is to SB 123 as printed February 23, 2005.)

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